

SEAT OF GOVERNMENT OF FLORIDA.

RESOLUTIONS

OF

THE LEGISLATURE OF FLORIDA,

RELATIVE

To certain sections of land granted by the United States to Florida, for the purpose of fixing her seat of government.

MARCH 6, 1848.

Referred to the Committee on Public Lands, and ordered to be printed.

PREAMBLE AND RESOLUTIONS in relation to certain sections of land granted by the United States to Florida, for the purpose of fixing her seat of government.

Whereas the Congress of the United States, by an act supplemental to "An act for the admission of Florida into the Union, and for other purposes," approved the third of March, eighteen hundred and forty-five, in consideration of the concessions made by the State of Florida in respect to the public lands, (to wit: that the said State shall never interfere with the primary disposal of the public lands lying within her borders, nor levy any tax on the same, whilst remaining the property of the United States,) did grant to this State, amongst other lands, for other uses, the following, viz: "*Eight entire sections of land for the purpose of fixing their seat of government.*" And whereas the terms of said grant have been construed by the Commissioner of the General Land Office as concurred in by the Secretary of the Treasury, "*to require that the whole of these eight sections should be located in one body, at such point as may be fixed upon by the proper authorities of Florida as their seat of government, and that the seat of government shall be fixed upon the lands thus granted.*" And whereas such construction would utterly defeat the grant aforesaid of said lands, it being almost impossible, at this time, to locate in any one body a large quantity of land, worth locating, by reason of the extensive sales made, locations already completed and in progress, pre-emptions secured, armed occupation rights established, and private claims recognised, by the United States. And whereas there is nothing in the terms of said grant which imperatively requires that the seat of government should be established upon the lands thus granted, while the previous legislation of Congress repels the idea:

Therefore be it resolved by the Senate and House of Representatives of the State of Florida in General Assembly convened, That in the opinion

of the General Assembly the construction so placed upon said act of Congress is unsound and destructive of the very end and aim which Congress had in view in making the grant aforesaid.

2. *Resolved*, That Congress are to be presumed to have had regard to the constitution of this State, which they had just admitted into the Union, in making said grant, and that the location of said lands will be utterly impossible, if, as a condition of the grant, the seat of government is to be now established upon the lands so granted, because of the fifteenth article of the constitution of this State.

3. *Resolved*, That this grant is clearly distinguished from the several grants of land whereto, by the said Commissioner of the General Land Office and the Secretary of the Treasury, the same has been likened, made by Congress to different Territories and new States of this Union for their seats of government, and seats of justice in their respective counties, enumerated as the acts of 25th February, 1811; 19th April, 1816; 20th April, 1818; 20th February, 1819; 3d March, 1819; 6th March, 1820; 15th May, 1820; 3d March, 1823; 24th May, 1824; and 26th May, 1824, in these respects, viz: That in each and every of said grants, Congress has, in express terms, declared *that the location of such seat of government or seat of justice shall be made on the land so selected*; also, because in every such instance, Congress *has required the location to be made before the public sale of the lands of the United States surrounding such location*, and while it was yet possible a location of the lands so granted could be made in one body.

4. *Resolved*, That the grant in question was made in consideration of concessions by the State of Florida, and was intended to yield this State advantage, and that the arguments drawn from the peculiar considerations alleged to have moved Congress to make the several before enumerated grants, to wit: the enhancement of value of public lands adjoining, do not and cannot apply; and that it is equally clear that this grant requires none other considerations than the concessions declared to have been made by this State to support the same.

5. *Resolved*, That Congress has not placed, nor ever designed to place, the onerous restrictions and conditions, impossible to be performed, indicated by said construction of the General Land Office; nor can Congress be presumed to have imposed terms which, under the aforementioned article of the constitution of this State, would effectually prevent the obtaining of said lands, by postponing their location for ten years to come, and thus defeat the beneficial use designed.

6. *Resolved*, That such Land Office construction of said act of Congress, if allowed as to these lands, applies with equal force to the location of the two townships by the same act granted for the use of two seminaries of learning; that the said grant is thus virtually annulled, and the State of Florida fails to receive an equivalent for the concessions made by her to that extent. And this General Assembly does protest against a construction of the act of Congress which defeats the very grant intended to be made, by clogging it with conditions impossible to be performed.

7. *Resolved*, That our Senators and Representative in Congress be requested to present to the Senate and House of Representatives of the United States these resolutions, and to use their best exertions to obtain the passage of an act of Congress declaratory of the former act; and further, to warrant and allow the location of said eight sections of land with-

out restriction as to section lines, and untrammelled by the other conditions appended by such official construction to the said grant.

8. *Resolved*, That so soon as these resolutions shall have been passed by the General Assembly and approved by the governor, copies hereof, properly certified, be forwarded to our Senators and Representative in Congress.

[Passed the House of Representatives, December 10, 1847. Passed the Senate, December 11, 1847. Approved by the governor, December 15, 1847.]

A true copy:

J. T. ARCHER,
Secretary of State.

The establishment of a mail route from Blairsville to Mount Vernon.

MARCH 6, 1848.

Referred to the Committee on the Post Office and Post Roads, and ordered to be printed.

IN SENATE.

1. *Be it resolved by the Senate and House of Representatives of the State of Georgia in General Assembly met.* That our Senators and Representatives in Congress be and they are hereby requested to use their influence with the proper department of the United States government to have a bi-weekly mail route established between Blairsville, Union county, and Mount Vernon, Habersham county, for the convenience of the citizens west of Blue Ridge.

2. *Resolved*, That the Executive immediately communicate this resolution to our Senators and Representatives in Congress.

Agreed to December 3, 1847.

ANDREW J. MILLER,
President of the Senate.
WM. H. CRAWFORD,
Secretary of the Senate.

Read and agreed to in the House of Representatives, December 29, 1847.

CHARLES J. JENKINS,
Speaker of the House of Representatives.
A. F. OWEN,
Clerk of the House of Representatives.

Assented to December 30, 1847.

GEO. W. TOWNS, Governor.

